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Habit-Forming Drugs—Sale and Dispensing. (Reg. Bd. of H., Feb. 7, 1916.)

REG. 64. *Narcotic drugs.*—Pursuant to the authority vested in the Colorado State Board of Health, under sections 18 and 21 of an act entitled "An act to regulate the sale, barter, exchange, distribution, dealing in, giving away, dispensing, or the disposition in any manner of opium or coca leaves, their salts, derivatives, or preparation, to regulate the treatment and to provide for the committal of the habitual users of such drugs, and for other purposes," approved April 9, 1915, which said act will hereinafter be referred to under the title of the "Colorado Narcotic-Drugs Act," the following rules are hereby adopted for the enforcement of said act:

RULE 1. *Sale and disposition of drugs at wholesale.*—Where any of the drugs mentioned in section 1 of the Colorado narcotic-drugs act are to be sold or otherwise disposed of at wholesale, the purchaser or receiver (unless specifically exempt under sec. 2 of the act) will, prior to such purchase or receipt, issue an order therefor in the form as required in section 6 of said act.

Sales at wholesale relate to the sale or disposition of any of the drugs coming within the scope of the law to a druggist for use, sale, or distribution in the lawful conduct of his business, or to a physician, surgeon, dentist, or veterinarian for use in the legitimate practice of his profession.

A complete observance of the requirements as set forth in articles 5, 6, 7, 8, and 9 of the Federal regulations with regard to forms used in ordering drugs at wholesale and to the preservation of such forms for the use of inspectors and other authorized officials, will be deemed a sufficient compliance with the provisions of section 6 of the Colorado narcotic-drugs act.

RULE 2. *Sales at retail—Upon written prescription.*—Sales of the narcotic drugs enumerated in section 1 of the act at retail or to the consumer are limited to such sales as may be made pursuant to the original written prescription of a duly licensed physician, dentist, or veterinary surgeon.

All such prescriptions must be—

First. Signed in full by a duly licensed physician, dentist, or veterinary surgeon issuing the same.

Second. Dated as of the date on which so signed.

Third. Must indicate the office address, office hours, registry number, and telephone number of such duly licensed physician, dentist, or veterinary surgeon.

Fourth. Must indicate the name and address of the person to whom such written prescription is issued.

Fifth. When issued by a veterinary surgeon, must indicate the kind of animal upon which such narcotic drug is to be used.

Druggists and apothecaries must refuse to fill any such prescription unless signed as herein required, nor must a prescription for such drugs be filled by any druggist or apothecary if he has reason to suspect that the same was fraudulently issued or obtained.

The dispensing of such drugs at retail or to the consumer by druggists or apothecaries, except upon the original written prescription of physicians, dentists, or veterinary surgeons, will be in violation of the act. Refilling of prescriptions is therefore prohibited.

No written prescription calling for more than 4 grains of morphine, 16 grains of opium, 2 grains of heroin, 8 grains of codeine, or 2 grains of cocaine shall be filled without verification by the physician, dentist, or veterinary surgeon

issuing the same. Such verification may be by telephone or other sufficient method.

Prescriptions must be exactly filled as soon after receipt as practicable, not later in any case than 10 days subsequent to the issuance thereof. And the druggist shall record upon the prescription the date when filled and the name of person to whom delivered.

Prescriptions must be preserved for a period of two years from the time when filled and must be readily accessible to authorized inspectors or officials. A separate file of all such prescriptions should therefore be kept by the druggist or apothecary filling the same, but such prescriptions may be numbered consecutively with other prescriptions received. Unless so filed a record must be kept, showing—

First. The file number given to each prescription filled.

Second. The name of the physician, dentist, or veterinary surgeon signing the same.

Third. The name of the person for whom such prescription is filled.

It will not be necessary to keep two sets of records or files of prescriptions, one for the Federal authorities and one to meet the requirements of the State narcotic drugs act. The records now kept in compliance with the regulations for the enforcement of the Harrison (Federal) act will be regarded as a complete observance of the State act and of these regulations in this particular.

In writing prescriptions for narcotic drugs coming within the scope of the law physicians are cautioned to include all information required by both the Federal and the State acts. While these requirements are not essential in carrying out the purposes of the law, they are necessary to the protection of both physicians and druggists from imposition by means of fraudulent prescriptions and orders.

Prescriptions for narcotic drugs mentioned in section 1 of the act may be issued only in good faith for medicinal purposes in the course of professional practice.

RULE 3. Dispensing of drugs by physicians, dentists, or veterinary surgeons.—Section 5 of the Colorado narcotic drugs act authorizes any duly licensed physician, dentist, or veterinary surgeon to dispense, distribute, or in any manner give within the State any of the drugs mentioned in section 1 of the act to his patients, providing such dispensing is done in good faith for medicinal purposes and in the course of his professional practice. A record, however, is required to be kept of all such drugs so dispensed or distributed (except such as may be dispensed or distributed to a patient, upon whom such physician, dentist, or veterinary surgeon may personally attend, i. e., personally visit), and must show—

First. The date when any such drug is dispensed or distributed.

Second. The kind and quantity dispensed or distributed in each case.

Third. The name and residence of the patient to whom such drug was dispensed or distributed.

The record so kept must be preserved for a period of two years from the date of dispensing or distributing and held subject to inspection by officers of the State board of health.

A veterinary surgeon is not permitted to dispense drugs nor to prescribe drugs for consumption by a human being.

No exemptions apply in the case of drugs dispensed to an habitual user. A record must be kept in all such cases in the manner heretofore described.

With the exception of the records required by the State law to be kept in the case of drugs dispensed to habitual users, the records now kept by

physicians, dentists, and veterinary surgeons in compliance with the Federal act will be regarded as a sufficient compliance with the requirements of the State narcotic drugs act and of these regulations.

RULE 4. *Sworn statement of receipts.*—Under the authority of section 7 of the act, the State board of health will require sworn statements of receipts in all cases where there is reason to suspect that any of the drugs coming within the scope of this act are being procured, compounded, or disposed of illegally, and in all such other cases as it may deem advisable.

Inspectors are instructed to promptly report any suspicious circumstances attending the sale, dispensing, or other use of the drugs enumerated in the act.

Statements of receipts will be made in the form and manner as set forth in article 15 of the Federal regulations.

RULE 5. *Revocation of licenses after conviction.*—The State board of health will report to the appropriate State board or other licensing officers of the State, all cases wherein any duly licensed physician, dentist, veterinary surgeon, pharmacist, or nurse has been convicted of a substantial violation of this act, for action as provided in section 12 of the act.

RULE 6. *Inventories.*—It will not be necessary for any person, firm, or corporation engaged in the business of dispensing drugs to the consumer or in the practice of any of the professions in the act enumerated to prepare any inventory of the drugs or preparations or remedies coming within the scope of the law, on hand at the time the Colorado narcotic drugs act becomes effective, other than the inventory as required by article 13 of the Federal rules and regulations. The inventory therein described will be kept open to inspection at all reasonable times by authorized inspectors or officers of the State board of health.

RULE 7. *Duties of officers.*—It will be the duty of the pure food and drug commissioner to perform each and every act necessary to carry out the purposes of the Colorado narcotic drugs act and of these regulations, to keep all records therein required, and to provide for adequate inspection of all places of business coming within the purview of the law, and to see that all of the requirements of the law and of these regulations are strictly observed.

The drug inspectors will make inspections at irregular intervals of the premises of all persons, firms, or corporations, engaged in the business of dispensing in any manner any of the narcotic drugs enumerated in section 1 of the act. They will under the authority of the State board of health inspect and, if necessary, verify all records, orders, prescriptions, statements, or returns made or received and at once report any violation of the law by them discovered.

Samples of suspected drugs which are held in violation of the law will be collected and forwarded to the laboratory of the State chemist for analysis.

It is hereby declared to be the purpose of this board to enforce the provisions of this act in the letter and the spirit of the law without unnecessary interference with the business of persons engaged in selling or otherwise dispensing the drugs coming within the scope of the act. This purpose must be kept clearly in mind by all employees or officers of this board.

Inspectors will work in conjunction with health officers of the different municipalities and counties of the State, with district attorneys and other peace officers in the various districts of the State and with the officers of the United States Internal Revenue Department in carrying out the provisions of the Colorado narcotic drugs act.

The food and drug commissioner will report each month in the regular monthly report and at such other times as may be required by this board, all things done by the food and drug department in connection with the enforcement of this act.

The right of search and seizure as contemplated in section 17 of the act, shall be exercised with the greatest discretion. Except in cases of gravest emergency, inspectors employed by this board, in putting the search and seizure provision into effect, are instructed to proceed only upon search warrant issued by a court of competent jurisdiction, and in no case without the direct authorization of the food and drug commissioner.

RULE 8. *Rules of the federal department adopted.*—Each and every ruling heretofore made by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, under the authority of an act of Congress, approved December 17, 1914, and known as the Harrison narcotic law, is hereby adopted and made a part of these regulations in so far as it is applicable by reasonable construction to the State narcotic drugs law. Each and every ruling which may hereafter be promulgated by these officials, in so far as applicable, is declared to be the ruling of the Colorado State Board of Health and in full force and effect as of the date of its adoption.

Foodstuffs—Manufacture, Care, and Sale. Bakeries—Slaughterhouses.
(Reg. Bd. of H., Feb. 7, 1916.)

REG. 65. *Sanitation of foods and drugs.*—**RULE 1.** The floors, side walls, ceilings, furniture, receptacles, implements, and machinery of every establishment or place where foods, drugs or beverages are manufactured, stored, sold, offered for sale, or distributed, and all cars, trucks and vehicles used in the transportation of food products, shall at no time be kept in an unclean, unhealthful and insanitary condition. For the purpose of this regulation, unclean, unhealthful and insanitary conditions shall be decreed to exist if foods or drugs in the process of manufacture, preparation, packing, storing, sale, distribution or transportation are not securely protected from flies, dust, dirt, and as far as may be necessary, by all reasonable means from all other foreign or injurious contamination; and if the refuse, dirt, and the waste products subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing and transporting of food are not removed daily; and if all trucks, trays, boxes, baskets, buckets, and all knives, saws, cleavers, and other utensils and machinery used in moving, handling, cutting, chopping, mixing, canning, and all other processes are not thoroughly cleaned daily; and if the clothing or hands of operatives, employees, clerks or other persons therein employed are unclean.

RULE 2. The side walls and ceilings of every bakery, confectionery, hotel and restaurant kitchen shall be well plastered, wainscoted, or ceiled with metal or lumber, and shall be oil painted, or kept well lime washed; and an interior woodwork in every bakery, confectionery, hotel and restaurant kitchen shall be kept well oiled or painted with oil paints and be kept washed clean with soap and water. Every building, room, basement, or cellar occupied or used for the preparation, manufacture, packing, storage, sale, or distribution of food susceptible to contamination or damage shall have an impermeable floor made of cement or tile laid in cement, brick, oiled wood, or other suitable material, which can be flushed and washed clean with water.

RULE 3. The doors, windows, and other openings of every food or drug producing or distributing establishment shall be fitted during the fly season with self-closing screen doors and wire window screens not coarser than 12-mesh wire gauze.

RULE 4. Every building, room, basement, or cellar occupied or used for the preparation, manufacture, packing, canning, sale, or distribution of foods, drugs, or beverages where the process of production, manufacture, packing, can-